



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016907-1080

Applicant: Naoaki KODAIRA et al.

Title: IMAGE PROCESSING APPARATUS, IMAGE FORMING APPARATUS, AND IMAGE PROCESSING METHOD DEPENDING ON THE TYPE OF ORIGINAL IMAGE

Application No.: 09/528,117

Filing Date: March 17, 2000

Examiner: Dastouri, Mehrdad

Art Unit: 2623

RECEIVED

SEP 20 2004

Technology Center 2600

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Your Petitioners, Toshiba Tec Kabushiki Kaisha and Kabushiki Kaisha Toshiba, represent that they are the owners of the entire right, title, and interest in and to U.S. Patent Application Serial No. 09/528,117, filed March 17, 2000, by virtue of an Assignment recorded on June 14, 2000, on Reel 010907, Frame 0679, a copy of which is attached hereto as EXHIBIT A.

Your Petitioners, Toshiba Tec Kabushiki Kaisha and Kabushiki Kaisha Toshiba, also represent that they are the owners of the entire right, title, and interest in and to U.S. Patent 6,043,823. The Assignment for U.S. Patent 6,043,823 demonstrating the co-ownership is attached hereto as EXHIBIT B, and has been filed with the U.S. PTO.

Your Petitioners, Toshiba Tec Kabushiki Kaisha and Kabushiki Kaisha Toshiba, hereby disclaim the terminal part of the term of any patent granted on the U.S. Patent Application Serial No 09/528,117 which would extend beyond the full statutory term, as presently shortened by any terminal disclaimer, of U.S.

Patent 6,043,823, and hereby agree that any patent so granted on the U.S. Patent Application Serial No. 09/528,117 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 6,043,823, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Your Petitioners do not disclaim any terminal part of any patent granted on the above-identified 09/528,117 application, prior to the full statutory term of U.S. Patent 6,043,823 as defined in 35 USC §§ 154-156 and 173, in the event U.S. Patent 6,043,823 expires for failure to pay a maintenance fee, is held unenforceable or is found invalid in a final judgment by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by a reexamination certificate or as a result of an interference proceeding, or is otherwise deemed not to provide the rights conveyed by 35 USC § 154 prior to the full statutory term of U.S. Patent 6,043,823 as defined in 35 USC §§ 154-156 and 173, except for the separation of legal title stated above. Further, Your Petitioners do not disclaim any extension, adjustment or restoration of term relating to any patent granted on the above-identified application, which extension, adjustment or restoration is effected under 35 U.S.C. §§ 155, 155A or 156 or any other applicable statute.

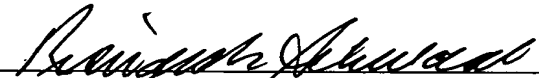
The undersigned, certifies that he is an attorney duly authorized to act on behalf of Your Petitioners, certifies that he has reviewed the Assignment(s) described above, and to the best of his knowledge and belief, legal title in the above-identified application rests with Your Petitioners, Toshiba Tec Kabushiki Kaisha and Kabushiki Kaisha Toshiba.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-identified application or any patent issuing therefrom.

Respectfully submitted,

September 16, 2004

Date


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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY DEFICIENCY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 19-0741.
